

AFFIRMATION OF CONSULTATION WITH PRIVATE SCHOOL OFFICIALS

Section 1120(b), Section 5142 and Section 9501 of the No Child Left Behind Act require that timely and meaningful consultation occur between the local education agency (LEA) and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.

The following topics must be discussed during the ongoing consultation process:

- How the LEA will identify the needs of eligible private school children.
- What services the LEA will offer to eligible private school children.
- How and when the LEA will make decisions about the delivery of services.
- How, where and by whom the LEA will provide services to eligible private school children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with a third-party provider.
- How the LEA will assess academically the services to eligible private school children and how the LEA will use the results of that assessment to improve program services.
- The size and scope of the equitable services that the LEA will provide to eligible private school children and the proportion of funds that will be allocated to provide these services.
- The method or sources of data that the LEA will use under the Title I program to determine the number of private school children from low income families residing in participating public school attendance areas, including whether the LEA will extrapolate data, if a survey is used.
- The equitable services the LEA will provide to teachers and families of participating private school children.
- If the LEA disagrees with the views of the private school officials on the provisions of services through a contract, the LEA must provide the private schools the reasons in writing why the LEA chooses not to use a contractor.

We agree that timely and meaningful consultation occurred before the LEA made any decision that affected the participation of eligible private school children in the Title I, Part A; Title I Part C; Title II, Part A; Title II; Part D; Title III, Part A; Title IV, Part A; and the Title V, Part A programs.

Public School Official
Date

Private School Representative
Date

School District _____

Name of Private School Agency or School

The LEA must maintain a copy of this form in its records and provide a copy to the SEA.

VERIFICATION OF PRIVATE SCHOOL PARTICIPATION

(Make copies for each private school eligible to participate)

Name of Public School District: _____

Name of Private School: _____

School Address: _____

City: _____ South Dakota Zip: _____

The Private School requests to participate in the applicable federal program(s) checked below:

PROGRAM	Please check Yes, No, or Not Applicable (NA)		
	YES	NO	NA
Title I, Part A (Title I)	_____	_____	_____
Title I, Part C (Migrant)	_____	_____	_____
Title II, Part A (Teacher and Principal Training and Recruiting)	_____	_____	_____
Title II, Part D (Enhancing Education Through Technology)	_____	_____	_____
Title III, Part A (Limited English Proficient)	_____	_____	_____
Title IV, Part A (Safe and Drug Free Schools)	_____	_____	_____
Title V , Part A (Innovative Programs)	_____	_____	_____

School Districts eligible for the flexibility provisions provided by the Rural Education Achievement Program (REAP) may exercise the REAP flexibility authority on behalf of the private schools.

The Private School is aware that:

- The No Child Left Behind Act of 2001 (P.L. 107-110), requires that public school districts shall offer private schools with a genuine opportunity for equitable participation.
- The special needs of the private school may be different from the public school, and therefore, the program provided may be different.
- The control of program funds and the title to any equipment and materials purchased with those funds must remain with the public school district. No funds can be paid directly to the private school.
- If the private school participates it will keep such records and make such reports as may be required for program audits.
- Any educational services provided shall be secular, neutral and non-ideological.

Signature of Authorized Private School Official:

Title

Date

Phone Number